

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF TENNESSEE
AT GREENEVILLE

UNITED STATES OF AMERICA

v.

EMORY JACKSON

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No. 2:20-CR-65

ORDER

This matter is before the Court on Defendant's Motion to Continue Trial, [Doc. 86]. The government does not oppose the motion. [*See id.*]. Defendant avers additional time is needed for defendant to complete discovery. [*Id.*]. Under these circumstances, counsel has not had a reasonable amount of time in which to prepare adequately for a May 2021 trial. The Court finds that this delay is in the interest of justice pursuant to 18 U.S.C. § 3161(h)(7)(A).

For those reasons, Defendant has shown good cause to grant the relief requested in the motion. The Court concludes Defendant has not had enough time to obtain the additional discovery and to appropriately investigate and adequately prepare a defense for trial. Further, notwithstanding the exercise of due diligence, counsel has not had sufficient time to conduct discovery in preparation for trial. *See* 18 U.S.C. § 3161(h)(7)(B)(ii). As a result, counsel has not had a reasonable amount of time in which to prepare adequately for the trial itself or even to determine the need to file pretrial motions. Defendant's motion is **GRANTED**. *See* 18 U.S.C. § 3161 (h)(7)(B)(i), (ii).

The Court hereby notifies the parties that the trial will commence on Tuesday, **June 22, 2021 at 9:00 a.m.** at the James H. Quillen United States Courthouse in Greeneville, Tennessee in Courtroom 420 before the Honorable J. Ronnie Greer. It is hereby ORDERED that the Lafler-Frye hearing is set for Monday, **June 21, 2021 at 11:30 a.m.** Additionally, all subpoenas previously issued in this case shall remain in effect and should reflect the trial time of June 22, 2021 at 9:00 a.m. The pretrial motion deadline is **May 18, 2021**, and the plea deadline is now **June 8, 2021**.

For the reasons stated above, all time between the filing of this order and the new trial date identified above is hereby declared “excludable time” under the Speedy Trial Act. The ends of justice served by the granting of this continuance outweigh the best interests of the public and Defendant in a speedy trial. *See* 18 U.S.C. § 3161(h)(7)(A). All provisions in the Order on Discovery and Scheduling not explicitly amended by this order shall remain in effect.

So ordered.

ENTER:

s/J. RONNIE GREER
UNITED STATES DISTRICT JUDGE